

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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| ANDREW FITCH, |) | |
| RICHARD D’ALESSANDRO, and |) | Consolidated Civil Action No. 2:18-cv-01534- |
| MICHAELLE HUTCHISON, individually |) | RJC-CRE |
| and on behalf of all others similarly situated, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| vs. |) | |
| |) | |
| GIANT EAGLE, INC., d/b/a GETGO CAFÉ |) | |
| + MARKET, |) | |
| |) | |
| Defendant. |) | |
| |) | |
| |) | |
| |) | |
| JORDAN JONES, |) | |
| ROBERT LEMUS, and |) | |
| JASON REED, individually and on behalf of |) | |
| all other similarly situated, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| vs. |) | |
| |) | |
| GIANT EAGLE, INC., |) | |
| |) | |
| Defendant. |) | |

ORDER OF COURT

AND NOW, this 23rd day of February, 2021, for the reasons set forth in this Court's Memorandum Opinion of the same date, it is hereby ORDERED that Defendant Giant Eagle Inc.'s Objections (ECF No. 200) to Judge Eddy's Report and Recommendation (ECF No. 199) are overruled, and the Court accepts and adopts Judge Eddy's Report and Recommendation in its entirety as the opinion of the Court with respect to Plaintiffs' Motions for Conditional Certification

(ECF Nos. 110 and 111). It is hereby further ORDERED that Plaintiffs' Motions for Conditional Certification are granted, and the following collectives are hereby conditionally certified:

1. All persons who are or were formerly employed by Giant Eagle in the United States during the relevant period as TLs, including individuals holding comparable salaried positions with different titles, and who were classified by Giant Eagle as exempt from overtime compensation;
2. All persons who are or were formerly employed by Giant Eagle in the United States during the relevant period who participated in Giant Eagle's training program for TLs, and who were classified by Giant Eagle as exempt from overtime compensation;
3. All persons who are or were formerly employed by Giant Eagle in the United States during the relevant period as STLs, including individuals holding comparable salaried positions with different titles and who were classified by Giant Eagle as exempt from overtime compensation; and
4. All persons who are or were formerly employed by Giant Eagle in the United States during the relevant period who participated in Giant Eagle's training program for STLs, and who were classified by Giant Eagle as exempt from overtime compensation.

It is hereby further ORDERED that the parties shall confer in order to jointly prepare a proposed notice to be provided to putative members of the collectives, and shall file the proposed notice for the Court's consideration at a date to be set by Judge Eddy . In the event that the parties cannot reach agreement, Plaintiffs and Defendant shall each submit a proposed notice at a date to be set by Judge Eddy.

BY THE COURT:

s/Robert J. Colville
Robert J. Colville
United States District Judge

cc/ecf: All counsel of record